

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.22332 of 2019

Dharmalingam ...Petitioner

Vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Revenue Divisional Officer,
Villupuram District,
Villupuram.

3.The Tahsildar,
Vikravandi Taluk,
Vikravandi,
Villupuram District,

4.The Revenue Inspector,
Sithalampattu Revenue Division,
Vikravandi Taluk,
Villupuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to measure petitioner's property comprised in Survey No.122/1 admeasuring to a total extent of 13 acre 10 cents situated at Amannankuppam Village, Vikravandi Taluk, Villupuram District based on the communication of the 3rd respondent dated 02.11.2017 in Na.Ka.No.A3/5517/2017 forthwith.

For petitioner : Mr.C.Prabakaran

For respondents : Mr.K.Parameswaran

Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the third respondent to consider the representation made by the petitioner and to conduct a survey and thereafter, issue patta to the petitioner.

2. The case of the petitioner is that his father was the owner of the property and on his demise, the petitioner became entitled to the property. The petitioner has made a representation on 02.11.2017 requesting for the survey of the property and to fix boundary stones and issue patta in favour of the petitioner.

3. The grievance of the petitioner is that his representation was not acted upon and it is kept pending inspite of the direction being issued by the third respondent, the Tahsildar of Vikravandi Taluk to the Revenue Inspector, to submit a report in this regard.

4. Mr. Parameswaran, learned Government Advocate appearing on behalf of the respondents submitted that the property is categorised as sarkar poromboke and therefore, there is no question of issuing patta in favour of the petitioner.

5. In reply to this submission, the learned counsel for the petitioner submitted that the total extent of the property measures 13 acres and 10 cents and the entire extent is not a sarkar poromboke. The learned counsel further submitted that it is only for this purpose, he had requested for a survey, so that whatever extent falls within the sarkar poromboke can be excluded and for the balance of the property, the patta can be issued in favour of the petitioner.

6. This court has carefully considered the submissions made by the counsel on either side and materials available on record.

7. Taking into consideration, the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, without going into the merits of the case, there shall be a direction to the third respondent to consider the application submitted by the petitioner on 22.11.2017 strictly in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with the copy of the representation dated 22.11.2017 and all other relevant documents along with the copy of this order.

8. Accordingly, this writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pns

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
Villupuram District,
Villupuram.
- 3.The Tahsildar,
Vikravandi Taluk,
Vikravandi,
Villupuram District,
- 4.The Revenue Inspector,
Sithalampattu Revenue Division,
Vikravandi Taluk,
Villupuram District.

PP (CO)
RMP (02/09/2020)

W.P.No.22332 of 2019

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